IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MELTON SUMMERVILLE,)	
)	
Plaintiff,)	
)	
V.)	1:06CV00719
)	
AMERICAN FEDERATION OF STATE,)	
COUNTY AND MUNICIPAL EMPLOYEES)	
AND LOCAL 77,)	
)	
Defendants.)	

ORDER AND JUDGMENT

OSTEEN, District Judge

For the reasons set forth in the memorandum opinion entered contemporaneously herewith,

IT IS ORDERED that Defendants American Federation of State, County and Municipal Employees and Local 77's Motion to Dismiss [Doc. No. 10] is GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Motion to Remand [Doc. No. 14] is denied.

This the 2nd day of April 2007.

United States District Judge